

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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UNITED STATES OF AMERICA,

v.

JOSE N. OROZCO and TERRY  
BATTLE,

Appellants-Defendants.

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**Hon. Dennis M. Cavanaugh**

**ORDER**

Case No. 07-900(DMC)

DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon Defendant Jose N. Orozco's ("Defendant Orozco") motion for a new trial pursuant to FED. R. CRIM. P. 33 and Defendant Terry Battle's ("Defendant Battle") motion for a new trial pursuant to FED. R. CRIM. P. 33; and after further reviewing all submissions; and for the reasons stated in the Court's Opinion issued on this day;

IT IS on this 15th day of October, 2008;

**ORDERED** Defendant Orozco's motion for a new trial pursuant to Fed. R. Crim. P. 33 is **denied**; and it is further

**ORDERED** Defendant Battle's motion for a new trial pursuant to Fed. R. Crim. P. 33 is **denied**.

S/ Dennis M. Cavanaugh  
Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk's Office  
cc: All Counsel of Record  
The Honorable Mark Falk, U.S.M.J.  
File